

REMARKSClaim Status

Claims 1-25 and 29 are pending in the application. This paper does not amend, cancel, or add any claims. Claims 1, 2, 22, 24, and 29 are the independent claims of the application.

Art Rejections

Claims 1-25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Finseth *et al.*, U.S. Patent Number 6,271,840 (“Finseth” in this paper) in view of Wolfston, Jr., U.S. Patent Number 5,815,155 (“Wolfston” in this paper). For the following reasons, Applicant respectfully traverses the rejections, and requests reconsideration and allowance of all pending claims.

Independent claim 1 recites the following limitation (with underlining added for emphasis): *wherein the categorization structure enables a user viewing content of any category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieval command.* Thus, in accordance with claim 1 the categorization structure enables the system’s user who is viewing content of any one category title (*e.g.*, a web page) to retrieve content of any other category title of the structure with a single retrieval command, such as a single click. The user therefore is enabled to retrieve content of titles that are not subcategories of the category title being currently viewed. The user can jump to a different (*e.g.*, parallel) path within

the category structure; to jump to a title that is below the current title in the hierarchy, but not immediately below (*e.g.*, skipping an intermediate lower level); or jump to a title above the current title within the same path.

The Office Action acknowledged that Finseth does not expressly teach the categorization structure that enables a user viewing content from any category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command. The Office Action then relied on Wolfston for teaching of these limitations. In particular, the Office Action cited Wolfston's Figure 2d, and text at column 5, lines 34-50. We have perused the cited Figure and text of Wolfston, as well as the remainder of that document, but have not been able to identify teaching or suggestion of the pertinent limitations. According to Wolfston,

FIG. 2d shows a typical screen display 160 that is presented when a user selects "DRAFT" horses.

FIG. 2d shows on computer screen 110 screen display 160, which includes four clickable actuators. The first three clickable actuators 122, 124, and 142 are the same as those displayed in FIG. 2c, and if one is selected, it will return the user to the corresponding higher hierarchical level 100, 110, and 140, respectively. The fourth clickable actuator 162 represents a lower level in the hierarchy "Draft Horses for Sale," indicated by the word "DRAFT" written across a fence rail 164. Each of clickable actuators 122, 124, 142, and 162 includes common pictorial subject matter, *i.e.*, fence portions and a background shake wall, consistent with the overall theme of horses. Actuators 122, 124, 142, and 162 together form a unitary image of a fence. The right fence post of each actuator forms the left fence post of a contiguous actuator, and rustic shake wall 126 of each actuator blends into shake wall 126 of neighboring actuators to appear to form a single rustic shake wall 126.

Leftmost actuator 120 represents the top hierarchical level, rightmost actuator 162 represents the present position in the hierarchy, and actuators 122 and 142 represent intermediate levels that are above the current level and through which the user passed in navigating from the top level to the current level. If a user had previously descended to levels below that of screen display 160, no actuator representing such lower level would be presented after the user returns to the level of screen display 160. For example, if a user selects clickable actuator 122 labeled

"HORSES" the system would display screen display 110 (FIG. 2b). Clickable actuators 142 and 162, which do not lie between the new current level and the top level, would no longer be displayed, even though they represent screens the user has passed through before arriving at his current position.

Wolfston, col. 5, lines 31-65 (underlining added for emphasis).

As is evident from the cited Figure and the quoted text, as well as from the rest of the Wolfston disclosure, the display of Wolfston's Figure 2d does not show the actuators representing all lower levels. Moreover, Wolfston's Figure 2d does not show the actuators of other paths that are available from the top hierarchical level of Figure 2a, such as 104a and 104c-104f, and the actuators in the hierarchical levels below 104a and 104c-104f.

The flowchart in Wolfston's Figure 5 is to the same effect. Note that from the top level displayed in step 300, the navigation proceeds to next lower level corresponding to a selected option, in steps 304 and 306. From the lower level screen display resulting from the navigation (displayed in step 306), the navigation proceeds either (1) to a higher level through step 320, or (2) the next lower level through step 318. The flowchart apparently does not provide for skipping the next lower level and selecting a lower level that is not next, or for jumping to a level on a parallel path.

Therefore, Wolfston also does not disclose or suggest the limitations in issue. At least for this reason, Applicant respectfully submits that Finseth and Wolfston do not disclose or suggest all of the limitations recited in claim 1, and do not render claim 1 unpatentable. Independent claims 2, 22, 24, and 29 recite limitations that are identical, analogous, or similar to the limitations of claim 1 discussed above, and are not rendered unpatentable by Finseth and Wolfston at least for the same reasons as are discussed above in relation to claim 1.

Dependent claims should be patentable at least for the same reasons as their respective base claims and intervening claims, if any.

CONCLUSION

For the foregoing reasons, Applicant respectfully submits that all pending claims are patentable. To discuss any matter pertaining to the present application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Having made an effort to bring the application in condition for allowance, a timely notice to this effect is earnestly solicited.

Respectfully submitted,

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